

Express mail certificate number EV 487107750 US dated 01 November 2005

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JC10 Rec'd PCT/PTO 01 NOV 2005

PTO 1380 (34) 07/2005

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 1-17010 <b>10/23/03 1609</b>
INTERNATIONAL APPLICATION NO. PCT/EP2003/011328	INTERNATIONAL FILING DATE 14 October 2003 (14.10.2003)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531,609 PRIORITY DATE CLAIMED 17 October 2002 (17.10.2002)
TITLE OF INVENTION Method For Obtaining A Gaseous Phase From A Liquid Medium And Device For Carrying Out The Same		
APPLICANT(S) FOR DO/EO/US Elias Klemm et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. (combined with Declaration)</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BEST AVAILABLE COPY

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/531,609		INTERNATIONAL APPLICATION NO. PCT/EP2003/011328		ATTORNEY'S DOCKET NUMBER 1-17010	
20. Other items or information:					
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ -	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ -	
All other situations.....\$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ -	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations.....\$500					
<b>TOTAL OF 21, 22 and 23 =</b>				-	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ -	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$ -	
Independent claims	- 3 =		x \$200	\$ -	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ -	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				-	
<b>SUBTOTAL =</b>				\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ -	
<b>TOTAL NATIONAL FEE =</b>				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 170.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

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- a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1816. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number 001678  
Marshall & Melhorn, LLC  
Four SeaGate - 8th Floor  
Toledo, Ohio 43604

Phone: (419) 249-7100

Fax: (419) 249-7151

  
SIGNATURE

MARK A. HIXON  
NAME

44,766  
REGISTRATION NUMBER

CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"

"Express Mail" Label Number EV 487107750 US

Date of Deposit November 1, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Signature of person mailing correspondence

Mark A. Hixon  
\_\_\_\_\_  
Typed name of person mailing correspondence

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

Application No. 10/531,609

International Appln. No. PCT/EP2003/011328 filed 14 October 2003

Earliest Priority Date Claimed: 17 October 2002

Title: Method For Obtaining A Gaseous Phase From A Liquid Medium  
And Device For Carrying Out The Same

Inventors: Elias Klemm et al

Assignees: Uhde GmbH and Degussa AG

Attorneys: Marshall & Melhorn, LLC

Attorney Docket No: 1-17010

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10/531609

(Signature of person mailing correspondence)

Mark A. Hixon

(Typed name of person mailing correspondence)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ELIAS KLEMM, JOHANNES ALBRECHT,  
ARMIN LANGE DE OLIVEIRA,  
GEORG MARKOWZ, STEFAN GROSS,  
RUEDIGER SCHUETTE, JOHANNES  
EHRlich, STEFFEN SCHIRRMESTER and  
OLAF VON MORSTEIN

Group Art Unit:

Application No. 10/531,609  
Filing Under 35 U.S.C. 371 in the DO/EO/US  
of PCT/EP2003/011328 filed 14 October 2003

Examiner:

For: METHOD FOR OBTAINING A  
GASEOUS PHASE FROM A LIQUID  
MEDIUM AND DEVICE FOR CARRYING  
OUT THE SAME

Attorney Docket 1-17010

November 1, 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

Honorable Sir:

In response to the "Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US)" dated October 18, 2005 (copy attached), enclosed is the fully executed Combined Declaration and Power of Attorney document to complete the missing requirements in the above-captioned

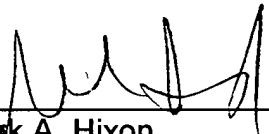
application which was filed in the U.S. Patent and Trademark Office, PCT Branch, on April 14, 2005, under 35 USC 371.

We have also enclosed an Assignment document from Elias Klemm, Johannes Albrecht, Armin Lange de Oliveira, Georg Markowz, Stefan Gross, Ruediger Schuette, Johannes Ehrlich, Steffen Schirrmeister, and Olaf von Morstein to Uhde GmbH and Degussa AG for recording in the U.S. Patent and Trademark Office, and an Information Disclosure Statement with copies of the cited foreign patent documents and IDS Forms SB/08A.

A check in the amount of \$170.00 is attached to cover the requisite fees for late filing of the executed Declaration (\$130.00) and recordation of the Assignment document (\$40.00).

Please charge any additional fees due or credit any overpayment to Deposit Account No. 13-1816.

Respectfully submitted,



Mark A. Hixon  
Registration No. 44,766

ATTORNEYS  
MARSHALL & MELHORN, LLC  
Four SeaGate - 8<sup>th</sup> Floor  
Toledo, Ohio 43604

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,609	Elias Klemm	1-17010

INTERNATIONAL APPLICATION NO.	
PCT/EP03/11328	
I.A. FILING DATE	PRIORITY DATE
10/14/2003	10/17/2002

1678

MARSHALL & MELHORN  
FOUR SEAGATE, EIGHT FLOOR  
TOLEDO, OH 43604

CONFIRMATION NO. 8173

371 FORMALITIES LETTER



\*OC000000017266487\*

Date Mailed: 10/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2005
- English Translation of the IA filed on 04/14/2005
- Copy of the International Search Report filed on 04/14/2005
- Copy of IPE Report filed on 04/14/2005
- Preliminary Amendments filed on 04/14/2005
- Oath or Declaration filed on 04/14/2005
- Request for Immediate Examination filed on 04/14/2005
- U.S. Basic National Fees filed on 04/14/2005
- Priority Documents filed on 04/14/2005
- Specification filed on 04/14/2005
- Claims filed on 04/14/2005
- Abstracts filed on 04/14/2005
- Drawings filed on 04/14/2005

OCT 20 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

COPY

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,609	PCT/EP03/11328	1-17010